

The IEP Team Professional Learning Project

Writing an Individualized Education Program (IEP)



Module 1: Overview and Getting Ready

Learner Handouts

Module 1

Agenda

- I. Introduction
- II. Why have an IEP?
- III. Why Have an IEP Team?
- IV. Why Have an IEP Meeting?
- V. How to Prepare for the Meeting
- VI. Summary and Closing

Purpose

- Why have an IEP
- Why have an IEP Team
- Why have an IEP meeting
- What you need to prepare for an IEP meeting

Expected Outcomes

Participants will know:

- The purpose of an IEP: educational benefit
- Steps in the IEP team process
- IEP team roles and responsibilities
- Qualities of an IEP
- How to prepare for an IEP meeting

Disclaimer: Resources and references in this document do not imply endorsement of either content or organization, they are strictly included as additional resources and references on the topic. There is neither explicit nor implied endorsement of any website or product whether for cost or free. Individual needs and decision making rules must be considered when deciding the utility of any single or combination of resources.

These four modules were developed by the Human Development Center, LSU Health Sciences Center and the Jefferson Parish Families Helping Families with the financial support of the Louisiana Department of Education. Integral to the development process was input from a stakeholder group representing the perspectives of parents/family members, teachers, school administrators, related service professionals, counselors, and special education supervisors. East Baton Rouge Parish graciously hosted field tests of several of the modules so developers could solicit additional feedback on module content and sequence. Staff of the Louisiana Department of Education generously offered feedback and related material. Input and advice from all these people was vital to the process of module development, however, the Human Development Center, LSUHSC, is solely responsible for the final product. No endorsement from any entity or their representatives is intended or implied.

For Your Knowledge: Laws & Regulations

Federal Statute

IDEA 2004 – Individuals with Disabilities Education Improvement Act of 2004

Congressional findings and intent –

“Almost 30 years of research and experience has demonstrated that the education of children with disabilities can be made more effective by--

“(A) having high expectations for such children and ensuring their access to the general education curriculum in the regular classroom, to the maximum extent possible, in order to--

“(i) meet developmental goals ... and

“(ii) be prepared to lead productive and independent adult lives,...;

“(B) strengthening the role and responsibility of parents and ensuring that families of such children have meaningful opportunities to participate in the education of their children at school and at home;”

Federal Register: Part A, Section 601 (20 USC 1400) (c)

Definition -

“Individualized education program; IEP.--The term ‘individualized education program’ or ‘IEP’ means a written statement for each child with a disability that is developed, reviewed, and revised in accordance with section 614(d).”

Federal Register: Part A, Section 602 (20 USC 1401) (14)

<http://www.gpo.gov/fdsys/pkg/PLAW-108publ446/html/PLAW-108publ446.htm>

State Statute

Louisiana Education of Children with Exceptionalities Act, R.S. 17:1941 et seq.

It is and shall be the duty of state and local educational agencies of the state of Louisiana to provide a free appropriate public education to every child with an exceptionality who is a resident therein.

https://www.nat.k12.la.us/assets/linked_docs/Louisiana_Children_with_Exceptionalities_Act.pdf

For Your Knowledge: Laws & Regulations

Federal Regulations

Assistance to States for the Education of Children with Disabilities and Preschool Grants for Children with Disabilities; Final Rule (34 CFR Parts 300 and 301) – this edition also contains all comments following the public review (August 14, 2006) (Federal Register Volume 71, Number 156)

Section 300.22 Individualized education program; 300.23 Individualized education program team; 300.112 Individualized education programs (IEP)

Section 300.320-300.323 Individualized Education Programs

Section 300.324-300.328 Development of IEP

<http://idea.ed.gov/download/finalregulations.html>

State Regulations

Bulletin 1706 – Regulations for Implementation of the Children with Exceptionalities Act, Subpart 1. Students with Disabilities

A. The LDE shall ensure that an IEP, that meets the requirements of Section 636(d) of the IDEA, is developed, reviewed, and revised for each student with a disability in accordance with §§320 through 324, except as provided in §301B.3.b.

Bulletin 1530 – Louisiana’s IEP Handbook for Students with Exceptionalities

Chapter 1. Individualized Education Program (IEP)

A. Louisiana's IEP Handbook for Students with Exceptionalities outlines the legal procedures of the IEP process as mandated by the Individuals with Disabilities Education Act (IDEA) and Revised Statute 17:1941, et seq., and their regulations.

<http://bese.louisiana.gov/documents-resources/policies-bulletins>

For Your Knowledge: Laws & Regulations

Act 833—Regular Session, 2014

Eligibility: IEP Team determines that the student has failed to meet the state or local required achievement level necessary for promotion.

Alternate Pathways:

“If an Individualized Education Program team determines that the student is not required to meet state or local established performance standards on any assessment for purposes of promotion, the team shall:

- (a) Identify rigorous educational goals for the student.
- (b) Include diagnostic information, appropriate monitoring and intervention, and other evaluation strategies.
- (c) Include an intensive instructional program.
- (d) Provide innovative methods to promote the student's advancement including flexible scheduling, alternate learning environments, online instruction, and other interventions that are proven to accelerate the learning process and have been scientifically validated to improve learning and cognitive ability.
- (e) Identify a course of study that promotes college or workforce readiness, or both, career placement and advancement, and transition from high school to postsecondary education or work placement.

Learning Together Activity: Educational Benefit

Ask yourself what positive outcomes concerning Educational Benefit the individuals listed below should expect and record your answers.

Turn to one of your neighbors and introduce yourself.

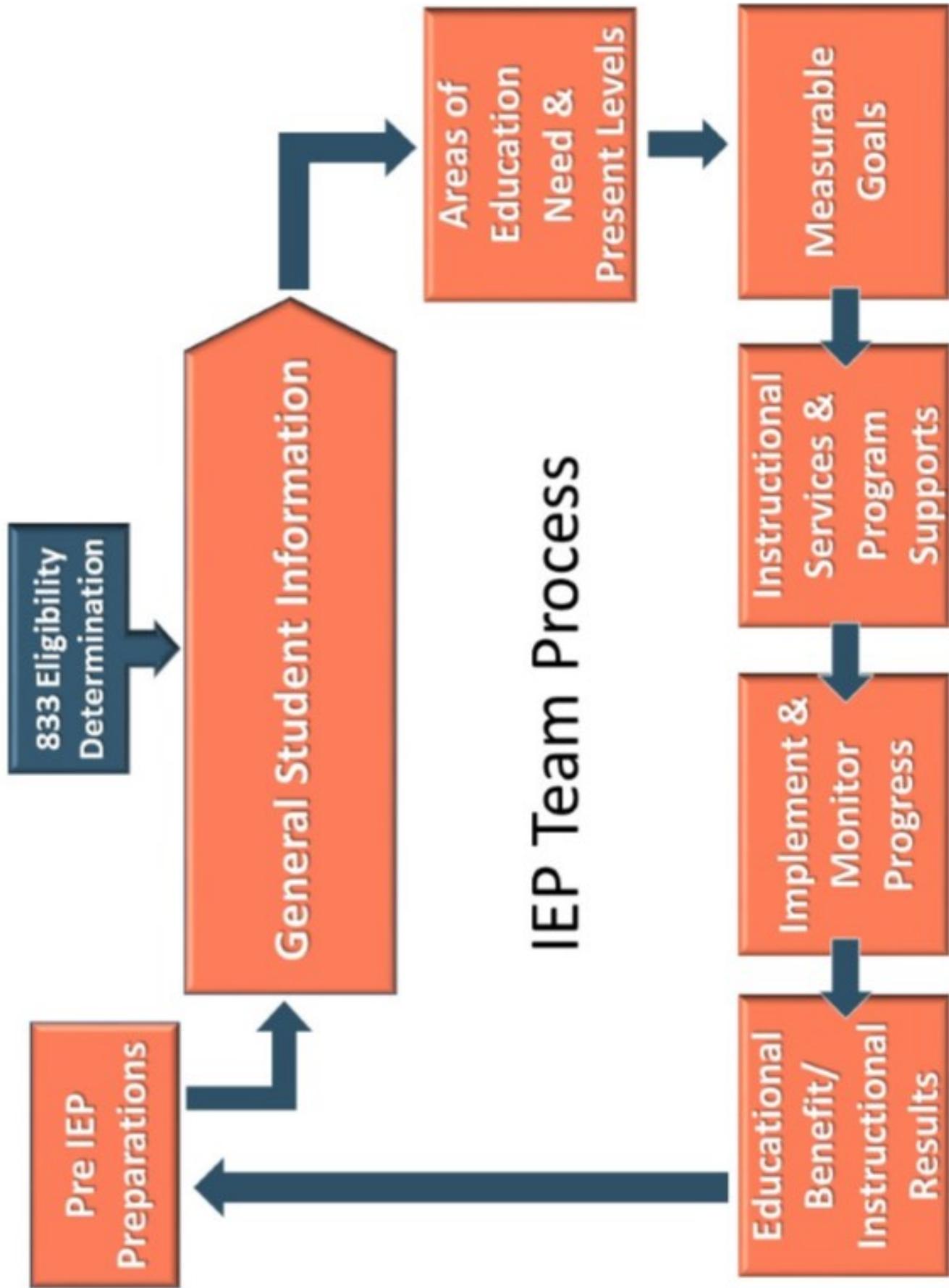
Compare your answers and discuss.

Families:

Teachers:

Students:

Notes: _____



IEP Team Process

For Your Knowledge: IEP Team Members

Required Membership – Bulletin 1530, §107. A IEP Team Participants

Officially designated representative (ODR)

Note – A special education teacher may not serve as the ODR for a student’s IEP when he or she is also the student’s teacher.

Parents

Note – Parent is defined as a biological or adoptive parent of a child; a foster; parent; a guardian, generally authorized to act as the child’s parent or authorized to make educational decisions for the child, but not the state if the child is a ward of the state; an individual acting in the place of a biological or adoptive parent of a child (including grandparent, stepparent, or other relative) with whom the child lives or an individual who is legally responsible for the child’s welfare; or a surrogate parent who has been appointed to act in the child’s behalf.

Evaluation Representative

Regular education teacher – when the student is or may be participating in the regular education environment

Special education teacher

*The **student** should be given the opportunity to participate in the development of the IEP.*

Note – Beginning at least one year before the student reaches the age of majority, by the student’s seventeenth birthday, the student shall be informed that his or her rights under Part B of the Act will transfer to him or her unless he or she has been determined incompetent under state law.

Other individuals can be invited, at the discretion of the parent or LEA, who have knowledge or special expertise regarding the student, including related service personnel as appropriate.

Learning Together Activity: IEP Team Roles

Complete the matching activity below by matching the team member with the best description of their primary role.

Turn to one of your neighbors and introduce yourself if you haven't done so in an earlier activity.

Compare your answers and discuss.

Officially Designated
Representative (ODR)

Familiar with appropriate instructional
methods related to student's disability

General Education Teacher

Familiar with student outside of the school
setting

Special Education Teacher

Responsible for designating school resources

Evaluation Team
Representative

Familiar with student's requirements per state
standards

Parent

Has unique knowledge and/or expertise not
typically represented by other team members

Other

Familiar with results and recommendations of
the evaluation

Notes: _____

Learning Together Activity: The IEP as a Living Document

Consider the information you would need in order to know that a student's IEP is a living document and record your thoughts below.

Turn to one of your neighbors and introduce yourself if you haven't done so in an earlier activity.

Compare your answers and discuss.

Evidence that an IEP is a *Living Document*:

Notes: _____

For your Practice: The IEP as a Living Document

Use these five questions as a checklist to help you determine the extent to which the IEP is being used by the IEP Team.

Do all school Team members who are providing services to the student have access to the IEP?

Can each school Team member identify accommodations agreed upon in the IEP?

Are there data matched to the goals in the IEP?
If so, describe:

Do progress reports specifically identify progress on the IEP goals?
If so, describe:

Is there communication between IEP Team members about the student's performance and progress other than regularly scheduled progress reports? If so, describe:

Notes: _____

For Your Knowledge: Amending the IEP

Bulletin 1530, §113 IEP Amendments

A. In making changes to a student's IEP after the annual IEP Team meeting for a school year, the parent of a student with a disability and the public agency may agree not to convene an IEP Team meeting for the purposes of making those changes, and instead may amend or modify the student's current IEP.

Procedural safeguards for reconvening the IEP Team meeting shall be followed.

If changes are made to the student's IEP, the LEA must ensure that the student's IEP Team is informed of those changes.

Changes to the IEP may be made either by the entire IEP Team at an IEP Team meeting or by amending the IEP rather than by redrafting the entire IEP.

A parent must be provided with a revised copy of the IEP with the amendments incorporated.

For Your Knowledge: Three Types of IEPs

The Three Types of IEPs for Students with Exceptionalities – Bulletin 1530, §111

- A. The *Initial IEP* is developed for a student with an exceptionality who has met criteria for one or more exceptionalities outlined in *Bulletin 1508, Pupil Appraisal Handbook* and who has never received special educational services, except through an interim IEP, from an approved Louisiana school/program.
- B. The *Review IEP* is reviewed and revised at least annually or more frequently to consider the appropriateness of the program, placement, progress in the general education curriculum and any related services needed by the student.
- C. The *Interim IEP* shall be developed for students who have severe or low incidence impairments documented by a qualified professional concurrent with the conduct of an initial evaluation according to *Bulletin 1508, Pupil Appraisal Handbook*.
 1. An interim IEP may also be developed for students who have been receiving special educational services in another state concurrent with the conduct of an initial evaluation.
 2. An interim IEP may also be developed concurrent with the conduct of an initial evaluation for a student out-of-school, including students ages three- through- five, who are suspected of having a disability and for former special education students, through the age of twenty-two, who have left a public school without completing their public education by obtaining a state diploma.

§307. Interim IEPs

- A. Placement Decisions. Local directors/supervisors of special education may approve enrollment in special education after pupil appraisal personnel have reviewed existing student information.
 3. Formal written parental consent shall be obtained for a multidisciplinary evaluation to be conducted according to *Bulletin 1508, Pupil Appraisal Handbook* and an interim IEP may be developed.
 - a. During the time the evaluation is in process, all regulations shall apply.

For Your Knowledge: IEP Team Meeting Considerations

IEP Meeting Considerations: Timelines, Consent, and Absence of an IEP Team Member

[Timeline – Bulletin 1530 §105](#)

A. An initial evaluation is considered "completed" when the written report has been disseminated by the pupil appraisal staff to the administrator of special education programs. A LEA has a maximum of 30 calendar days to complete the IEP/placement document for an eligible student. During this time, two activities shall take place and be documented.

1. Written Notice. Written notice that the LEA proposes to provide FAPE through the IEP process shall be given to the parents.

a. The notice shall be provided in the parents' native language or shall be given using other means of communication, whenever necessary, to ensure parental understanding.

b. The notice shall indicate the purpose, time, and location of the IEP Team meeting; who will be in attendance; when a LEA IEP Team member needs to be excused from attending the meeting; the parents' right to take other participants to the meeting; the student's right to participate (when appropriate); and the name of the person in the LEA the parents can contact when they have questions or concerns.

c. The notice shall explain the procedural safeguards available to the parents; that they can negotiate the time and place of the IEP Team meeting; that they have the right to full and meaningful participation in the IEP decision-making process, know their consent is required before initial placement will be made and that all information about the student shall be kept confidential.

d. When it appears that a student with a disability may be eligible to participate in one of the alternate assessments, the notice shall explain that data appear to support the student's participation in alternate assessment, and that the decision for participation will be made with the parents at the IEP Team meeting.

e. Additionally, when the LEA has not already done so, the parents shall be informed of their right to an oral explanation of the evaluation report and of their right to an independent education evaluation (IEE) when the parents disagree with the current evaluation.

f. In the case of a child who was previously served under Part C, an invitation to the initial IEP Team meeting, at the request of the parent, will be sent to the Part C service coordinator or other representative of the Part C system to assist with the smooth transition of services. This only pertains to students with disabilities.

For Your Knowledge: IEP Team Meeting Considerations

2. An IEP Team meeting that result in a completed IEP/placement document shall be held. This meeting should be a vehicle for communication between parents and school personnel to share formal and informal information about the student's needs, educational projections, and services that will be provided to meet the student's needs. The completed IEP/placement document is a formal record of the IEP Team's decisions. The timeline for completion of the document is intended to ensure that there is no undue delay in providing a free appropriate public education (FAPE) for the student. The IEP form is considered official when the parent and the Official Designated Representative (ODR) sign the document.

a. The IEP Team should consider parental correspondence to the school regarding the student's learning environment, any notes from previous parental conferences, and any data gathered during the screening and evaluation period in the development of the IEP.

b. Implementation of the IEP means that the student begins participating in special education and related services as written on the IEP/placement document. A LEA shall begin providing services as stated on the IEP as soon as possible but no later than ten (10) school days. The date of initiation of services shall be noted on the IEP.

c. Students who have been receiving special education in one LEA in Louisiana who transfer to another LEA within Louisiana shall be enrolled in the appropriate special education program in the receiving LEA with the current IEP or the development of a review IEP within five school days of the transfer.

Parental Consent – Bulletin 1530, §119

A. A LEA shall obtain formal parental and/or student consent before it can initially provide a student with special education and related services in any setting.

1. The student's consent is needed once the student reaches the age of majority, which is age eighteen (18) in Louisiana. When a student reaches the age of majority that applies to all students, except for a student who has been determined to be incompetent under state law, the student shall be afforded those rights guaranteed at such age.

B. Consent includes the following:

1. the parent and/or student has been fully informed of all relevant information in a manner that is clearly understandable to the parent and/or student, and

2. the parent and/or student formally agree in writing.

For Your Knowledge: IEP Team Meeting Considerations

Attendance – Bulletin 1530, §107.B IEP Team Member Excusal

A member of the IEP Team is not required to attend an IEP Team meeting, in whole or in part, when the parent of the student with an exceptionality and the public agency agree, in writing, that the attendance of the member is not necessary because the member's area of the curriculum or related services is not being modified or discussed in the meeting.

A member of the IEP Team may be excused from attending an IEP Team meeting, in whole or in part, when the meeting involves a modification to or discussion of the member's area of the curriculum or related services, when:

the parent, in writing, and the public agency consent to the excusal; and

the member submits, in writing to the parent and the IEP Team, input into the development of the IEP prior to the meeting.

Act 833 – Individual Graduation Plan - §2925

A.(1) By the end of the eighth grade, every student, with the assistance of his parent or other legal custodian and school counselor, and for a student with an exceptionality as defined in R.S. 17:1942(B), except a student identified as gifted or talented and who has no other exceptionality, the student's Individualized Education Program team, if applicable, shall begin to develop an Individual Graduation Plan to guide the next academic year's course work and to assist the student in exploring educational and career possibilities and in making appropriate secondary and postsecondary decisions as part of an overall-postsecondary plan.

For your Practice: Preparing for the IEP Meeting

Use this as a checklist to help you prepare for the IEP meeting.

Prior to the meeting:

Yes or No Response

Was the parent called or notified of the meeting? _____

Was written notice documented in student's record? _____

Were the parents' schedules accommodated as much as possible? _____

Was an appropriate meeting place secured? _____

If requested, was an interpreter scheduled to be present for the meeting? _____

Were there appropriate brochures or information specifying staff, phone numbers, and a guide to common language? _____

Were the appropriate staff notified of the meeting and expected to attend? _____

Was all pertinent information including *Louisiana's Educational Rights of Children with Disabilities* mailed to the parent in advance of the meeting for their review? _____

Was an agenda prepared so that everyone knew what would be discussed during the meeting? _____

Notes: _____

Learning Together Activity: Reflection

Pause for a moment and reflect on the IEP process. Why would you want to commit to the process and effort required of an IEP? Record your thoughts below.

Turn to one of your neighbors and share your thoughts..

What's in the IEP process for me?

Notes: _____

For Your Knowledge: Learning More

Why have an IEP?

KidsHealth provides an brief overview of “What’s an IEP?” that one can read or listen to in English or Spanish: <http://kidshealth.org/parent/growth/learning/iep.html>

Why have an IEP team and meeting?

Parent Advocacy Coalition for Educational Rights – Action Information Sheet: Who Is on My Child’s IEP Team? <http://www.pacer.org/parent/php/PHP-C203.pdf>

Video – IEP Meeting: Introductions: <https://www.youtube.com/watch?v=t5VnPsgmt2E>

Center for Parent Information and Resources: The student with a disability as an IEP Team Member: <http://www.parentcenterhub.org/repository/iep-studentsonteam/>

The IEP Team Process: A Framework for Success: <http://www.ecac-parentcenter.org/The-IEP-Team-Process.aspx?sid=95&pid=81&red=yes>

What is included in an IEP?

IEP Checklist for iPhone from the Parent Education Advocacy Training Center (PEATC): http://www.peatc.org/peatc.cgim?template=IEPChecklistiPhone&share_action=print&share_url=http%3A%2F%2Fwww.peatc.org%2Fpeatc.cgim%3Ftemplate%3DIEPChecklistiPhone

IEP Checklist for Parents from Statewide Parent Advocacy Network (SPAN): <http://www.spanadvocacy.org/sites/g/files/g524681/f/files/IEP%20MEETING%20CHECKLIST%20FOR%20PARENTS.pdf>

What are the expected outcomes?

Early Childhood Technical Assistance (ECTA) Center – Key Practices Underlying the IEP Process: Supporting Family Participation, Inclusive Practices, and Positive Outcomes for Preschool Children with Disabilities - http://ectacenter.org/~pdfs/knowledgepath/ifspoutcomes-iepgoals/Key_Practices_IEP_Process.pdf

Indy’s Child article – Gauging an IEPs Effectiveness - http://www.indyschild.com/Articles-i-2010-09-01-246639.112112_Gauging_an_IEPs_Effectiveness.html

This document outlines the most frequently asked questions from the September and October webinars on how to implement the graduation and promotion components of Act 833. To review full copies of the power point presentations click here: [Graduation](#) (updated 10/13/14) [Promotion](#)

Implementation

How does the 30-day timeline outlined in Act 833 impact districts?

Act 833 states that within 30 days of an eligible student entering a course, the IEP team must establish minimum performance requirements for the course in the student's IEP. The 2014-2015 school year is the first time districts will be implementing this law and the Department will not collect any data associated with Act 833 until the second semester of 2014-2015 school year.

Who decides whether the student should receive credit for a course?

The teacher of record determines if the student will receive credit for the course based on the performance criteria outlined in the student's individual education program (IEP).

Who decides if a student should be promoted to the next grade level?

The teacher of record, in consultation with the special education teacher, should make a recommendation for promotion based on the performance criteria outlined in the student's IEP. If any member of the IEP team disagrees with the recommendation, the IEP team may review the recommendation and determine if promotion to the next grade is appropriate.

How do LEAs document information related to ACT 833?

The IEP may reflect Act 833 decisions in multiple places of the IEP. This can include but is not limited to documenting information in the General Student Information (GSI), Present Levels of Performance, Programs, Services, and Comments sections on the IEP. Additionally, the IEP team should document the goal(s) aligned to the standards for specific courses in the Instructional section of the IEP.

Are certificates of achievement still available?

Yes, the Certificate of Achievement is still an exit pathway for students who meet the Certificate of Achievement criteria outlined in Bulletin 1706.

Is the state still offering the graduation waiver process?

Yes. Bulletin 741 outlines the criteria regarding the waiver of a required graduation examination. The Department will release guidance this fall on the process for LEAs to submit waiver requests.

Individual Performance Criteria

Must a student with a disability meet state-established performance standards to earn credits for purposes of graduation?

If eligible under Act 833, the student's IEP team may set individual performance requirements for a student that are aligned to the grade-level standards for the specific courses(s) of enrollment and shall be incorporated by the teacher of record when awarding course credit.

Can the IEP team change the achievement level definitions of an EOC or LAA2 assessment for accountability purposes?

No, the achievement level definitions for all assessments have been approved by the Board of Elementary and Secondary Education (BESE) and cannot be altered. For example, an IEP Team cannot determine that an "Unsatisfactory" or "Approaching Basic" score will count as a "Satisfactory" score for accountability. The IEP Team, in conjunction with the teacher of record, can develop an education plan that includes how the student will demonstrate individual performance requirements necessary to receive course credits, including but not limited to applicable EOC or LAA 2 tests.

Can students who are eligible for LAA1 receive a high school diploma?

Yes, for the 2014-2015 school year, school districts may award diplomas to students eligible for LAA 1 and evaluated using the LAA 1 assessments. Eligible students must meet the requirements of the Certificate of Achievement and also meet one of the three criteria:

- Employment in integrated inclusive work environments and demonstrate self-help skills; or
- Demonstrate mastery of employability skills and self-help skills; or
- Access to services, employment, or education options that are not available within the public school system